REMARKS

Claims 1-4, 12-13, 21-22 and 30-31 have been amended. Claims 1-31 are pending.

Although the Examiner's objection to the title of the invention as not being descriptive of the invention to which the claims are directed is improper, to expedite prosecution of the application the title has been amended to "METHOD AND APPARATUS FOR PROTECTING BROADCAST DATA."

Claims 1-31 were rejected under 35 U.S.C. 103(a) as being unpatentable over Yoneda et al. (U.S. Patent Appn. No. 2002/0056115) in view of Duffield et al. (WO 01/33851).

The presently claimed invention requires, in relevant part, "copyright information of a still image to be included hierarchically in a predetermined table" of Program Specific Information ("PSI") or Service Information ("SI") "corresponding to the structural hierarchy" of an MPEG system. In addition, the presently claimed invention requires executing, by a receiving apparatus, a copyright protecting process of the still image by a unit corresponding to the structural hierarchy on the basis of the copyright information of the still image in the predetermined table. (See specification, for example, at paragraphs [0102]-[0104].)

For example, as set forth in claim 3, which depends from independent claim 2, the copyright information for a program and the copyright information for an elementary stream in the program may be described hierarchically in a Program Map Table (PMT), such that a receiving apparatus may decode the PMT to obtain the copyright information for the program and the elementary stream. In addition, as discussed in the application, when both of the copyright information for the program (the first layer) and the copyright information of the elementary stream (the second layer) in the program are

described in the predetermined table, a copyright protecting process of the still image of the elementary stream is executed on the basis of the copyright information for the elementary stream. On the other hand, when the copyright information for the program is described and the copyright information for the elementary stream is not described in the predetermined table, the copyright protecting process of the still image of the elementary stream is executed on the basis of the copyright information for the program.

Thus, according to the presently claimed invention, the receiver executes the copyright protecting process of the still image by the elementary stream (a unit corresponding to the structural hierarchy). Furthermore, the copyright protecting process of the still image is executed with preferentially applying the copyright information for the elementary stream (the second layer), as set forth in claims 3-4.

Yoneda et al. appears to describe a receiving apparatus 103 which converts a still picture data or limits outputting of the data in accordance with still picture outputting control information. Although the still picture outputting control information of Yoneda et al. can be multiplexed with video/audio data by defining a table or a descriptor of a MPEG2 system, Yoneda et al., however, does not appear to disclose or suggest providing the still picture outputting control information in a table hierarchically corresponding to the structural hierarchy of an MPEG system, as required by the claimed invention.

Duffield et al. does not cure the deficiencies of Yoneda et al. with respect to the requirements of the claimed invention. Duffield et al. appears to describe using a PMT, which includes Entitlement Control Messages (ECM) for a

conditional access (CA) system (which may be added to a digital audio/video transmission system), and a dummy entry with a reserved PID for an Extended Conditional Access (XCA) system, for controlling CA and XCA systems. However, according to the cited portions of Duffield et al., the PMT appears to be used only for authorizing in the CA system and for replacing the ECM for the CA system to the ECM for the XCA system. Therefore, even if Yoneda et al. and Duffield et al. were to be combined, despite the lack of an apparent reason or suggestion to do so, the resulting combination would not provide that the copyright information of the still image is described hierarchically in a predetermined table corresponding to a structural hierarchy of an MPEG system, as required by the claimed invention.

Accordingly, the presently claimed invention is patentable over the combination of Yoneda et al. and Duffield et al.

In view of the above, each of the presently pending claims in this application is believed to be in immediate condition for allowance. Accordingly, the Examiner is respectfully requested to withdraw the outstanding rejections of the claims and to pass this application to issue.

If, however, for any reason the Examiner does not believe that such action can be taken at this time, it is respectfully requested that he/she telephone applicant's attorney at (908) 654-5000 in order to overcome any additional objections which he might have.

       If there are any additional charges in connection with this requested amendment, the Examiner is authorized to charge Deposit Account No. 12-1095 therefor.

Dated: December 4, 2008   Respectfully submitted,

                                By _____

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